IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

Bail Appl..No. 5129 of 2007()

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[CRIME NO.45/07 OF KAKKUR POLICE STATION]

PETITIONER/2ND ACCUSED:

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HASSANKUTTY K.K., (RTD.VILLAGE OFFICER),
KANNANNUR KIZHAKKEYIL HOUSE, P.O.KAKKUR,
VIA.NANMINDA, KOZHIKODE DISTRICT.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: COMPLAINANT AND STATE:

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1. THE SUB INSPECTOR OF POLICE,
KAKKUR POLICE STATION,

2. STATE REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**R.BASANT, J.**

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B.A.No.5129 of 2007

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Dated this the 22nd day of August 2007

**O R D E R**

Application for anticipatory bail. Petitioner is the second accused in a crime registered inter alia under Sections 465 and 471 I.P.C. I have already adverted to facts in detail while considering the anticipatory bail application of the first accused in the order dated 7/8/2007 in B.A.No.4669/07. The allegation against the petitioner is that he had issued false possession certificate and tax receipts in respect of an item of property.

2. I am not adverting to facts in detail in this order. This order must be read in continuation of the said earlier order dated 07/08/2007. The application is not opposed by the learned Public Prosecutor. I am satisfied that anticipatory bail can be granted.

3. In the result, this petition is allowed. Following directions are issued under Section 438 Cr.P.C in favour of the petitioner.

i) Petitioner shall surrender before the learned Magistrate having jurisdiction at 11 a.m on 30/08/2007. He shall be released on regular bail on condition that he executes a bond for Rs.25,000/-(Rupees twenty five thousand only) with two

solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 3 p.m on 31/08/2007 and 01/09/2007 and thereafter on all Mondays and Fridays between 10 a.m and 12 noon for a period of three months and subsequently as and when directed by the investigating officer in writing to do so.

(iii) If the petitioner does not appear before the learned Magistrate as directed in clause (i), directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioner and deal with him in accordance with law, as if these directions were not issued at all.

(iv) If he were arrested prior to 30/08/2007, he shall be released from custody on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) without any sureties, undertaking to appear before the learned Magistrate on 30/08/2007.

**(R.BASANT, JUDGE)**

jsr // True Copy// PA to Judge

**R.BASANT, J.**

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007